

IN THE DRAWINGS:

The attached sheet of drawings includes changes to Fig. 3.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

This is intended as a full and complete response to the Office Action dated September 8, 2006, having a shortened statutory period for response set to expire on December 8, 2006. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraphs [0012], [0020], [0030], [0041], [0050], and [0055] have been amended to correct minor editorial problems.

In the drawings, Figure 3 has been amended to correct a typographical error.

Claims 1-31 are pending in the application. Claims 1-31 remain pending following entry of this response.

Claim Rejections - 35 U.S.C. § 102

Claims 1-2, 6-7, 13, 17-19, 21-23 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Bays et al.* (hereinafter "*Bays*") (U.S. Patent No. 6,519,603 B1, issued: February 11, 2003).

Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Bays* does not disclose "each and every element as set forth in the claim". For example, with respect to independent claims 1 and 21, *Bays* does not disclose applying a set of state rules to determine a first state of the annotation based on the annotation data. The Examiner argues that *Bays* discloses this element at Col. 3, lines 25 - 30. However, the cited passage is in fact directed to filtering the annotation data based on the context of the user, not determining states of the annotation data itself. For example, the context of the user may be the workgroup the user is assigned

to (e.g. manager, engineer, or accountant). Thus, the context of the user has nothing whatsoever to do with determining the states of annotation data.

Regarding claim 13, *Bays* does not teach, show, or suggest defining, providing, or using state rules. For example, the Examiner maintains that *Bays* teaches defining a set of state rules for each annotation type, wherein each state rule identifies an annotation state based on annotation data in the one or more fields associated with its corresponding annotation type at Col. 9, lines 12 -14 and 60 - 65. However, Col. 9, lines 12-14, are directed towards an administrator building the annotation structure by identifying the desired categories to be entered or displayed and the order in which the annotations should be entered or displayed. Col. 9, lines 60-65, are directed towards the administrator indicating which categories and attributes of categories are to be retained, which attribute names are to be changed and how, and more generally, which transformations should be applied to the annotation content.

Thus, with respect to independent claim 13, *Bays* does not disclose defining a set of state rules for each annotation type, wherein each state rule identifies an annotation state based on annotation data in the one or more fields associated with its corresponding annotation type. Therefore, with respect to the above argument, claim 13 is believed to be traversed.

In addition, with respect to independent claim 18, *Bays* does not disclose providing a set of state rules defining a plurality of states for the annotation based on the annotation data in each record. The Examiner argues that this is disclosed by *Bays* (Col. 9, lines 12 -14 and 60 - 65, *Bays*). With respect to the above argument, these citations are not directed towards providing a set of state rules defining a plurality of states for the annotation based on the annotation data in each record.

Further, with respect to independent claim 26, *Bays* does not disclose a set of state rules for each annotation type, wherein each set of state rules defines a plurality of states for each associated annotation type based on the annotation data in the one or more associated fields. These citations are not directed towards a set of state rules for each annotation type, wherein each set of state rules defines a plurality of states for

each associated annotation type based on the annotation data in the one or more associated fields.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 3-5, 9-12, 14-16, 20, 24-25, and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bays*, in view of *Setya* (US Patent App. Pub. No. 2006/0111953A1, filed: October 16, 2003).

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria because neither *Bays* nor *Setya* teach or suggest all the claim limitations.

As demonstrated above, *Bays* does not teach all the claim limitations. Therefore, Applicants submit the present rejection is obviated. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

/Gero G. McClellan, Reg. No. 44,227/

Gero G. McClellan

Registration No. 44,227

PATTERSON & SHERIDAN, L.L.P.

3040 Post Oak Blvd. Suite 1500

Houston, TX 77056

Telephone: (713) 623-4844

Facsimile: (713) 623-4846

Attorney for Applicant(s)